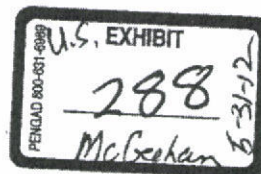
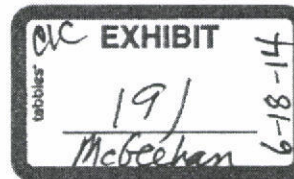


TEXAS HOUSE OF REPRESENTATIVES
82ND LEGISLATURE
SELECT COMMITTEE ON VOTER IDENTIFICATION
AND VOTER FRAUD HEARING
MARCH 1, 2011

VOLUME II OF II

Transcribed by Rhonda Howard, CSR
April 11, 2011



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1 JOHN WOODS: Thank you very much.

2 CHAIRMAN BONNEN: Ann McGeehan, the
3 Elections Division of the Secretary of State,
4 testifying neutral on Committee Substitute to Senate
5 Bill 14.

6 ANN MCGEEHAN: Good afternoon. Ann
7 McGeehan with the Office of the Texas Secretary of
8 State.

9 CHAIRMAN BONNEN: Questions, Members?
10 I think Mr. Veasey has questions.

11 REPRESENTATIVE VEASEY: I -- I --
12 I -- I'm sorry. Let me turn on the microphone. I
13 do have questions for you.

14 I was concerned about the fiscal note.
15 Can you talk a little bit about the fiscal note that
16 you all came up with? Because other smaller states,
17 states that are significantly smaller with -- than
18 ours, with a lot less television markets, came up
19 with much higher figures than you did. So that --
20 that number sort of startled me a little bit.

21 ANN MCGEEHAN: Sure. Yeah. I would
22 be happy to explain how we arrived at that figure.

23 Since the Help America Vote Act passed at
24 the federal level in 2002, the states have been
25 given some funds for voter education. So the



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1 Secretary of State's office has done a statewide
2 voter education effort in 2006, eight and ten. And
3 the average cost for those statewide voter education
4 efforts has been 2.5 million dollars. So I can tell
5 you that for the 2010 cycle what we did was we spent
6 \$2.5 million, and it included upgrades to our
7 website. We created a new website called
8 VoteTX.org, or actually redesigned it. It had been
9 created previously. We did traditional advertising
10 in television, did some PSAs in television, radio
11 newspaper, experimented a little bit on the Internet
12 with FaceBook and Twitter, and also did some ads on
13 public transportation.

14 We did seven telethons in -- in the
15 Valley, Austin, Dallas and Houston, four on Spanish
16 T.V. stations and three on English. And then we
17 also did a face-to-face outreach where we traveled
18 to 23 cities around the State and interacted
19 personally with more than 15,000 Texans. So that's
20 what -- that's kind of the model of what we've done.

21 So when we were asked to prepare a fiscal
22 note, we looked at our past voter education efforts.
23 We also looked at in 2009, when the Senate passed a
24 voter I.D. bill that contained, I think, almost the
25 same language as what's in the current Committee



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1 Substitute, Senate Finance put a rider on the bill
2 for \$2 million, which to us indicated that that at
3 least -- at least on the Senate side, that's what
4 they thought was appropriate for the voter education
5 program.

6 REPRESENTATIVE VEASEY: What was --
7 what was their methodology? I'm sorry --

8 ANN MCGEEHAN: The Senate's?

9 REPRESENTATIVE VEASEY: -- for
10 arriving at that figure?

11 ANN MCGEEHAN: I don't know.

12 REPRESENTATIVE VEASEY: Did they --
13 did they share any with you?

14 ANN MCGEEHAN: Not with me.

15 REPRESENTATIVE VEASEY: The -- it's
16 just a number they -- they put out there?

17 ANN MCGEEHAN: Yes, I don't know how
18 they arrived at that number.

19 REPRESENTATIVE VEASEY: Okay. Yeah.
20 Because I -- in Missouri it looks like the bill cost
21 a lot more than in Texas, and they have -- you know,
22 their biggest market was No. 20th. And of course
23 Dallas/Fort Worth is No. 5, and Houston is No. 7,
24 San Antonio, 30, Austin, 42, El Paso, 46. How --
25 how many -- how many television ads in the Metroplex



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1 could you buy with \$750,000?

2 ANN MCGEEHAN: Well, I know in
3 two-point -- I'm sorry, in 2010 we spent 1.8 million
4 just on purchasing the advertising.

5 REPRESENTATIVE VEASEY: Okay.

6 ANN MCGEEHAN: So I'm sure we could
7 get you the breakdown to show how much in each media
8 market, but the bulk was spent on purchasing the
9 advertising.

10 REPRESENTATIVE VEASEY: Purchasing
11 all forms of advertising?

12 ANN MCGEEHAN: Yeah. That included
13 T.V., radio --

14 REPRESENTATIVE VEASEY: Yeah.

15 ANN MCGEEHAN: -- and newspaper.

16 REPRESENTATIVE VEASEY: Do you know
17 how many spots you all were running like in the
18 Metroplex?

19 ANN MCGEEHAN: We can get you the
20 detail on that, because I know the company we
21 contracted with I think gave us a detailed report of
22 exactly where it was aired and if we got any
23 earned -- earned media, things like that. We can
24 get you that.

25 REPRESENTATIVE VEASEY: Okay.



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1 CHAIRMAN BONNEN: Representative
2 Anchia.

3 REPRESENTATIVE ANCHIA: Mr. Chairman,
4 I wanted to dovetail on a question -- the line of
5 questioning of Representative Veasey.

6 Again, Missouri had a two-year,
7 \$9.5 million estimate for their voter I.D. bill in
8 2006, including the cost of free I.D.s, poll worker
9 training and the production of -- of voter education
10 material. Missouri is a state one-fourth the size
11 of Texas. Wisconsin, that has a population less
12 than one-point -- 5.6 million people, less than
13 one-fourth the size of the State of Texas, had an
14 annual fiscal note on their bill of 2.3 million. So
15 biannual, it would be 4.6 in lost revenue due to the
16 provision of free I.D.s.

17 Maryland has a population of 5.6 million
18 where they provide free I.D.s only in limited
19 circumstances, projecting a \$1.6 million annual
20 fiscal note. In 2010, Indiana, which was later --
21 which was after -- after the initial passage of the
22 bill, which was required to provide free I.D.s, they
23 have a population of 6.4 million, about a quarter of
24 the size of the State of Texas. They spent 1.3
25 million to provide free I.D.s.



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1 In that \$2 million figure, do you have
2 any -- do you have any -- any data on the provision
3 of free I.D.s, or is it exclusively your marketing
4 budget?

5 ANN MCGEEHAN: 2 million was
6 exclusively for the voter education effort.

7 UNIDENTIFIED REPRESENTATIVE: Okay.

8 ANN MCGEEHAN: And as far as the
9 other states and -- like Missouri, I know that we --
10 we tried to get a little information, because
11 Senator Gallegos asked that question at the Senate
12 hearing.

13 UNIDENTIFIED REPRESENTATIVE: Right.

14 ANN MCGEEHAN: And one thing that was
15 different about their bill, which I think was later
16 struck down -- I don't think they ever implemented
17 the 2006 legislation --

18 UNIDENTIFIED REPRESENTATIVE: Uh-huh.

19 ANN MCGEEHAN: -- was that they were
20 actually having to install equipment throughout the
21 State to issue photo I.D.s for purposes of the
22 legislation, which is not in this bill.

23 So I -- I don't know about Wisconsin and
24 Maryland. You know, each -- it depends on what the
25 bill says.



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1 UNIDENTIFIED REPRESENTATIVE: I'll
2 talk a little bit about the media markets in
3 Missouri. St. Louis and Kansas City are the two
4 largest. They spent significantly more in
5 marketing. You're basing -- same -- same thing with
6 other states.

7 You're -- you're -- you're basing your
8 estimate on T.V. commercials, print and I guess some
9 radio, \$300,000 worth of radio on a -- an estimate
10 that -- of last year's expenditure, I guess, or a
11 prior year's expenditure with a significant change
12 if this bill passed. Would you agree it's a pretty
13 significant change to current law?

14 ANN MCGEEHAN: Yeah.

15 UNIDENTIFIED REPRESENTATIVE: Okay.
16 Do you think -- do you think that the same -- the
17 same budget that you would use last time around with
18 no significant change in state law would be
19 appropriate for a voter education program with a
20 significant change in state law?

21 ANN MCGEEHAN: Well, it's -- and I'll
22 try to state this clearly, because I don't know that
23 I explained it so well on the Senate side. But we
24 do have plans, I guess, to have continuing voter
25 education programs, because we still have HABA



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1 funds. So when we were asked to prepare this fiscal
2 note, we were assuming we're going to continue to do
3 our statewide education effort. So we looked at how
4 do we weave in the new voter I.D. requirements into
5 a statewide voter education program. So I can't
6 tell you exactly what that's going to end up being,
7 but if we're just asked for purposes of this fiscal
8 note to say what does it cost to educate on voter
9 I.D., that was our best guess, because we -- we will
10 integrate it with, you know, whatever voter
11 education program we do for 2012. So if we do
12 2.5 million effort in 2012, you know, some of that
13 will cover voter education, maybe will go to a
14 little higher than that. But I guess the point is
15 we have federal dollars to educate voters on the
16 process to vote and get registered. And so we will
17 incorporate and enhance it to include education on
18 the new voter I.D. requirements.

19 UNIDENTIFIED REPRESENTATIVE: And
20 would that -- would that education occur over a
21 year, two years? Would it be ongoing? The bill --
22 the bill doesn't specify. What's -- what's your
23 view and what do the HABA dollars come in?

24 ANN MCGEEHAN: The -- the bill I
25 think says that we have to start preparing the



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1 training and the voter education as soon as
2 possible. Our fiscal note assumes that it would
3 just be for one cycle, so I think we put it all for
4 the 2012 fiscal year.

5 We have \$7 million left in the State
6 Treasury that's earmarked for voter education and
7 poll worker training, election official training.

8 UNIDENTIFIED REPRESENTATIVE: Those
9 are HABA funds?

10 ANN MCGEEHAN: Those are the HABA
11 funds, and they don't expire. I don't think the
12 federal government can take them back, but we are
13 hearing that they're not -- they don't have any
14 plans to issue any more funds. So, essentially,
15 that's all we've got.

16 UNIDENTIFIED REPRESENTATIVE: In the
17 new -- on the significant change in legislation for
18 one election cycle, essentially for the 2012
19 election cycle?

20 ANN MCGEEHAN: Well, based on the
21 language that's in the bill.

22 UNIDENTIFIED REPRESENTATIVE: Based
23 on language that's in the bill?

24 ANN MCGEEHAN: Right.

25 UNIDENTIFIED REPRESENTATIVE: Okay.



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1 How -- for major changes in legislation -- well, let
2 me back up a step.

3 What's your evaluation of poll worker
4 training currently in the -- in the counties?

5 ANN MCGEEHAN: In the counties? I
6 think that there are a variety of tools counties can
7 use to educate poll workers. We -- with our HABA
8 dollars, we created an online poll worker training
9 that's free for all counties to use. Some counties
10 have used their HABA funds to create their own
11 specific online training. Most counties do some
12 form of in-person training, where they require
13 workers to come in, you know, see the machines,
14 learn how to operate the machines. We, the
15 Secretary of State's office, has a 30-minute video
16 that we do, and we update usually every two years.
17 That's also free of charge. So there's some
18 different ways.

19 UNIDENTIFIED REPRESENTATIVE: You
20 answered a different question, though.

21 ANN MCGEEHAN: Oh.

22 UNIDENTIFIED REPRESENTATIVE: You
23 answered what resources are available, which I
24 appreciate. But what's your -- what's your
25 assessment of the quality of poll worker training?



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1 And I know it's difficult to get poll workers.
2 There's turnover frequently. We pay them very
3 little. I believe that they're volunteers.

4 When you have a -- a change in the
5 Election Code, just a minor change, by way of
6 example, it doesn't immediately filter down to all
7 poll workers, does it? I mean, ensuring practice
8 and implementation, it's something that takes time?

9 ANN MCGEEHAN: Sure.

10 UNIDENTIFIED REPRESENTATIVE: Isn't
11 that right?

12 ANN MCGEEHAN: That's right.

13 UNIDENTIFIED REPRESENTATIVE: I mean,
14 because I hear from poll workers all the time and,
15 you know, they didn't know the law had changed. I
16 tried to do some continuing education myself, having
17 sat on the Elections Committee in the past, to bring
18 people up to speed. And I'm always very impressed
19 at how earnest the poll workers are, but also
20 sometimes very surprised -- you know, they're not
21 Election Code experts and it does take some time for
22 changes in the Election Code to filter down to them.

23 For a change of this magnitude, do you
24 think it will take some time for folks to be aware
25 of the law?



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1 ANN MCGEEHAN: I think it will take
2 some time. I think the bill has some very strict
3 requirements in there, though, that requires all
4 judges and clerks to take the Secretary of
5 State-prescribed training. So it -- it sounds to me
6 like it's a mandate that they have to take that
7 training, whereas right now in many elections it's
8 optional.

9 UNIDENTIFIED REPRESENTATIVE: How
10 much is that going to cost for everybody to take the
11 training?

12 ANN MCGEEHAN: Our plans will be to
13 update our video and to update the online training.
14 So that would be two free for, you know, counties to
15 use and for citizens to use on top of whatever the
16 counties may be using, as well.

17 UNIDENTIFIED REPRESENTATIVE: Do you
18 think with a mandate like that, would that mandate
19 be satisfied by watching the video?

20 ANN MCGEEHAN: I think it could be.
21 Currently, that is used for poll worker training.

22 UNIDENTIFIED REPRESENTATIVE: Uh-huh.
23 So that would be enough?

24 ANN MCGEEHAN: Unless the statute is
25 changed. But as currently written, I think that



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1 would satisfy the bill.

2 UNIDENTIFIED REPRESENTATIVE: Okay.

3 Does it surprise you that people -- that poll
4 workers are already asking for photo I.D. despite
5 the training that occurs? Does that surprise you?

6 ANN MCGEEHAN: We have heard that
7 before, yes.

8 UNIDENTIFIED REPRESENTATIVE: Quite a
9 bit. Even in the district that I represent we've
10 got folks that are asking for photo I.D. currently.

11 A lot of people have been talking about a
12 600,000 registered voter figure. These people --
13 these are people who apparently registered without
14 using some form -- either their Social Security
15 number or a -- a driver's license number.

16 Isn't the use even bigger than that? I
17 mean, I see a figure here that for people who did
18 not register without a driver's license number --
19 pardon me, for people who registered without their
20 driver's license ensuring the figure is more like
21 2.8 million.

22 ANN MCGEEHAN: That's true when you
23 look at the entire voter database.

24 UNIDENTIFIED REPRESENTATIVE: This is
25 your HABA-compliant database.



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1 ANN MCGEEHAN: Right. But, you know,
2 prior to January 1, 2006, you could register to vote
3 without providing your driver's license or Social
4 Security number. So people that were registered
5 before 2006 may not have provided one of those.
6 That doesn't necessarily mean that they don't have
7 one, but they didn't have to provide one to get
8 registered to vote.

9 UNIDENTIFIED REPRESENTATIVE: Well,
10 we don't know whether they did or not, because it
11 wasn't listed. Correct?

12 Have you all done a match to determine
13 with the driver's license file as to whether these
14 folks have driver's licenses or not?

15 ANN MCGEEHAN: Uh-huh. We've been
16 asked to do that and we're looking at this to make
17 sure that -- looking at the official list of voters
18 in the Secretary of State's office, trying to
19 compare that to DPS. And our IT Department is
20 looking at that, trying to get good matching
21 criteria, because without that unique identifying
22 number of the TDL, it can be sometimes difficult to
23 make sure you have the right match.

24 UNIDENTIFIED REPRESENTATIVE:
25 Somebody came up and said there was 600 -- you have



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1 that \$600,000 person figure. Where does that come
2 from? Do you have a frame of reference for that
3 figure that there were 600,000 people who did not
4 list after [sic] driver's license number or Social
5 Security number?

6 ANN MCGEEHAN: I think they're all
7 coming from the same place, which that is -- and
8 I -- you know, when we have shared information with
9 the Legislature before, we've sort of shared two
10 sets of information. One is -- that shows how many
11 people have stated they don't have a TDL number or
12 SSN number since January 1, because since --
13 January 1, 2006, because since January 1, 2006, it's
14 been required. So since that time, we show 34,506
15 voters out of almost 4 million that stated they did
16 not have I.D.

17 UNIDENTIFIED REPRESENTATIVE: Since
18 2006?

19 ANN MCGEEHAN: Yes.

20 UNIDENTIFIED REPRESENTATIVE: And is
21 there -- is there a provision -- provision in this
22 bill to identify that use of voters as possibly not
23 having I.D.?

24 ANN MCGEEHAN: I'm sorry. I didn't
25 understand.



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1 UNIDENTIFIED REPRESENTATIVE: So, I
2 mean, if you're looking at possible uses of voters
3 that may not have the requisite I.D. to comply with
4 this bill, is there anything in the bill that would
5 require you to identify those folks, seek them out,
6 determine whether they have I.D. or not?

7 ANN MCGEEHAN: No, I don't believe
8 so.

9 CHAIRMAN BONNEN: Okay. Let's
10 talk -- we talked, I know, briefly about training of
11 poll workers.

12 Under this bill, what new duties will poll
13 workers perform, what new duties?

14 ANN MCGEEHAN: Let's see. Of course,
15 the qualification process will change as far as what
16 they will, you know, require of a voter before
17 they're permitted to vote. I can't really think of
18 any new. They -- if a voter doesn't have I.D.
19 today, they vote provisionally. So that will be the
20 same.

21 I guess the main change will be voters
22 that have filed a disability exemption with the
23 Voter Registrar. Those voters aren't going to have
24 to show I.D.

25 A voter who is 70 years of age on or



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1 before January 2012 won't have to show I.D. So
2 those will be some new decisions they'll have to
3 make.

4 UNIDENTIFIED REPRESENTATIVE: Talk to
5 me about how you would administer those two
6 exceptions, the disability and the age?

7 ANN MCGEEHAN: Well, we're going to
8 have to come up with detailed training. So I
9 don't -- I don't -- I can't tell you exactly how
10 that's going to work. You know, we'll try to be
11 very thoughtful about that and look to other states
12 for best practices. But we'll have to revise our
13 handbooks, all our training, our online training,
14 video, to include guidance for the poll workers on
15 how to handle those new duties.

16 CHAIRMAN BONNEN: With respect to the
17 disability exemption, is there a document that the
18 person would put on file to receive that type of
19 exemption?

20 ANN MCGEEHAN: Yes. The -- the
21 Committee Substitute -- and that document would be
22 filed with the Voter Registrar, not with the -- not
23 at the polling place. And it allows written
24 documentation from the United States Social Security
25 Administration that evidence that the voter has a



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1 disability or written documentation from the United
2 States Department of Veterans Affairs.

3 UNIDENTIFIED REPRESENTATIVE: So
4 those are the only two ways to get the exemption?

5 ANN MCGEEHAN: Correct.

6 UNIDENTIFIED REPRESENTATIVE: Okay.
7 Okay.

8 CHAIRMAN BONNEN: Representative
9 (inaudible).

10 UNIDENTIFIED REPRESENTATIVE: Yeah,
11 yeah.

12 CHAIRMAN BONNEN: I was going to
13 allow Members of the Committee to ask questions.
14 And I see two of them have their lights on and have
15 for some time. So, I mean, if you have more
16 questions, I'll come back to you, but I'd like to
17 let the Members of the Committee go ahead.
18 Representative Harless.

19 REPRESENTATIVE HARLESS: Hi. How are
20 you?

21 ANN MCGEEHAN: I'm good. Thank you.

22 REPRESENTATIVE HARLESS: Could you
23 tell us a little bit about the ongoing training that
24 the Secretary of State does as a part of their job
25 anyway?



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1 ANN MCGEEHAN: We -- we have several
2 formats of training. We have had a 30-minute video
3 that we've had probably since the late '80s. And we
4 update that regularly, usually after a Legislative
5 session. We have detailed handbooks that are to be
6 used inside polling places. We have now an online
7 voter -- online training process, and we also do
8 schools and seminars. So we have an annual seminar
9 every summer for county officials.

10 REPRESENTATIVE HARLESS: This is --
11 this is something that you continue to do every
12 year --

13 ANN MCGEEHAN: Yes.

14 REPRESENTATIVE HARLESS: -- as part
15 your budget?

16 Can you tell me -- we've talked a lot
17 about the Help America Vote Act fund. How much
18 money was that originally?

19 ANN MCGEEHAN: I have my note on that
20 somewhere. Well, I think overall we've received
21 total for all the mandates in HABA about
22 \$200 million and -- okay. I -- I found it now. I'm
23 sorry. \$227 million dollars.

24 REPRESENTATIVE HARLESS: And how much
25 of that money have we spent?



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1 ANN MCGEEHAN: We have spent about 80
2 percent of that money. What is remaining now is
3 about \$47 million.

4 REPRESENTATIVE HARLESS: And how much
5 money in the base budget that we received in the
6 House under the Secretary of State was in that base
7 budget appropriated for HABA money for federal
8 election training?

9 ANN MCGEEHAN: I -- I believe in
10 House Bill 1 -- I don't think it's broken down by
11 purpose areas within HABA, but I think overall it
12 was about \$37 million or --

13 REPRESENTATIVE HARLESS: 43, maybe?
14 It says under B1.4, "Strategy, elections
15 improvement, administration of federal Help America
16 Act -- Vote Act."

17 ANN MCGEEHAN: I defer to you. That
18 sounds right.

19 REPRESENTATIVE HARLESS: So of the
20 \$2 million it is likely, once this bill is passed,
21 that we can request that funds from the -- from the
22 Help America Vote Act to be appropriated to spend
23 additional monies as needed to train and get up to
24 speed on the photo I.D.?

25 ANN MCGEEHAN: Right. I mean, I



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1 guess, just to be clear, we already have drawn that
2 money down based on our State plan.

3 REPRESENTATIVE HARLESS: We have it
4 set up in our base budget that we started with that
5 that Pitts (phonetic) laid out?

6 ANN MCGEEHAN: Yes.

7 REPRESENTATIVE HARLESS: There's been
8 a lot of conversation today about the 690,000 that
9 we're talking about. And I know Representative
10 Anchia mentioned to the 2.8 million or 5.2.

11 There's two sets of numbers we're working
12 with, two universes. The first universe is
13 registered voters that are from January 1st of 2006
14 to December 31st, 2010. Correct?

15 ANN MCGEEHAN: Right.

16 REPRESENTATIVE HARLESS: How many are
17 in that universe?

18 ANN MCGEEHAN: Total of all?

19 REPRESENTATIVE HARLESS: In that 2000
20 and -- January 1st, 2006 to December 31st, 2010.

21 ANN MCGEEHAN: I think the total --
22 the amount of voters that were registered during
23 that period is right under 4 million.

24 REPRESENTATIVE HARLESS: And those
25 are voters that, one, have a driver's license or



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1 I.D.; that's about 2.3 million.

2 ANN MCGEEHAN: Right.

3 REPRESENTATIVE HARLESS: Then there's
4 voters that have registered with the last four of
5 their Social Security number, which is about
6 294,000.

7 ANN MCGEEHAN: Right.

8 REPRESENTATIVE HARLESS: Then there's
9 voters that registered with both, which is 1.3
10 million. And then there's a number of people that
11 registered that said they didn't have either.

12 ANN MCGEEHAN: Correct.

13 REPRESENTATIVE HARLESS: No Social
14 Security, no I.D., driver's license. So that's
15 34,000.

16 Of that 3.9 million, that's .8 percent of
17 that universe from January 1st until December 31st.
18 Do I understand that correctly?

19 ANN MCGEEHAN: Yes, that's correct.

20 REPRESENTATIVE HARLESS: Okay. So
21 now if we take all the statewide voters that are
22 registered, all of them, even the ones prior to
23 2006, which I would fall into that category, because
24 I haven't changed my address and I still have my
25 original voter registration that gets renewed every



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1 couple years, that I did not provide a Social
2 Security last four or my I.D.

3 Of that number, how many do we have?

4 ANN MCGEEHAN: Of -- of that number
5 we have 5.2 million that showed TDL I.D. We have
6 2.1 million that have a -- a Social Security number
7 on file. And then the number of voters that have
8 both is 4.6 million.

9 REPRESENTATIVE HARLESS: Which totals
10 in -- in the ones that have neither numbers?

11 ANN MCGEEHAN: One with neither is
12 the 690,000 insuring 698,087.

13 REPRESENTATIVE HARLESS: The total
14 universes of registered voters that we have as the
15 last numbers we've received is 12 million about
16 655,000.

17 Now, of that 690,000 do we think all of
18 those people don't have either Social Security, I.D.
19 or driver's license?

20 ANN MCGEEHAN: I want to -- I want to
21 be careful on that, because, you know, we -- we
22 don't have direct evidence. But we can say that
23 before 2006 it wasn't required. So presumably, if
24 it wasn't required, people wouldn't give it.
25 Doesn't mean they didn't have it.



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1 REPRESENTATIVE HARLESS: So
2 presumably some of those 690,000 people have
3 driver's license or I.D. cards or Social Securitys
4 [sic], they just did not have to require it at the
5 time?

6 ANN MCGEEHAN: I think that would be
7 a fair statement.

8 REPRESENTATIVE HARLESS: All right.
9 Another question about the fiscal note that we've
10 talked about. Some of the counties attached, you
11 know, small amounts of money that it would cost for
12 their county. Aren't most -- how -- explain that to
13 me. How can...

14 ANN MCGEEHAN: Well, I know on the
15 Senate side there may have been some confusion
16 regarding the voter registration certificate,
17 because the bill requires that the new voter I.D.
18 requirements appear on the back of the voter
19 registration certificate. And I think that in
20 conversations with some county officials they were
21 thinking if you had to put it on the front of the
22 certificate there wouldn't be space. So they
23 thought the certificate might need to be increased
24 in size, which would increase postage, but I don't
25 think that's necessarily required. The bill doesn't



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1 say that. It just says that it goes directly on the
2 certificate.

3 I think another cost -- Tarrant County, I
4 think, had another cost for changing of the
5 provisional ballot affidavit form, some cost for
6 that.

7 REPRESENTATIVE HARLESS: Now, there's
8 some assumptions that the Secretary of State
9 typically doesn't do a lot of this work. But isn't
10 it true that they already do a lot of the work for
11 the training? So those can be absorbed as part of
12 your normal expense of your budget.

13 ANN MCGEEHAN: Right, right. We
14 would -- you know, after every session we normally
15 have to revise our training materials.

16 REPRESENTATIVE HARLESS: And can you
17 talk just a little - and I'll quit so everyone else
18 can ask their questions - but we've had some
19 questions about different last names and different
20 addresses.

21 What provisions will the Secretary of
22 State make on that, and is there training done for
23 that?

24 ANN MCGEEHAN: Currently, there's no
25 training on that, because the law is silent on the



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1 issue of what happens if the names don't match. But
2 the Senate Bill 14, the engrossed version and the
3 Committee Substitute, contains some language about
4 as long as the names are substantially similar. So
5 our training would have to include some standards
6 on, you know, what an election judge or clerk would
7 need to look for and what would be considered
8 substantially similar.

9 The addresses don't have to match right
10 now. And that -- and that doesn't change under
11 Senate Bill 14. You don't have to show, I don't
12 believe, that the -- the addresses have to -- you --
13 you're -- you have to ask every voter if they've
14 moved, but they don't have to show their -- their
15 identification doesn't have to show where they live.

16 REPRESENTATIVE HARLESS: Thank you so
17 much --

18 ANN MCGEEHAN: Sure.

19 REPRESENTATIVE HARLESS: -- for
20 waiting all day and being patient.

21 ANN MCGEEHAN: You're welcome.

22 CHAIRMAN BONNEN: Representative
23 Aliseda.

24 REPRESENTATIVE ALISEDA: What -- what
25 is the current state or federal law for purging



1 voter lists. Do you know?

2 ANN MCGEEHAN: Yes. That's covered
3 under the National Voter Registration Act, and there
4 are some requirements associated with that. For
5 instance, you can't purge voters within so many days
6 of a November general election. You can't purge
7 voters if you suspect that they've moved until
8 you've actually reached out to those voters and sent
9 them a mailing. If they don't respond to that
10 mailing, their name goes to an inactive list or what
11 we call in Texas a suspect -- a suspense list. And
12 they stay on that list for a period of two federal
13 general elections. And if they don't vote or if
14 they don't correspond or communicate with the Voter
15 Registrar, their name would get purged on
16 November 30th of the second federal election.

17 REPRESENTATIVE ALISEDA: Well, I'm
18 trying to understand how that particular law
19 interfaces with individuals who do not have an
20 identification of some sort. You stated that since
21 2006 we have 34,000 of those individuals that have
22 indicated they don't have any form of
23 identification, but prior to 2006, we had an
24 additional 600,000 that didn't have to provide that
25 information.



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1 So when would this purging require some
2 kind of follow-up on identification?

3 ANN MCGEEHAN: Well, I don't --
4 nothing -- there's nothing in the State law or -- or
5 the federal law or this bill that would require
6 somebody that registered to vote before 2006 to now
7 provide a driver's license number or Social Security
8 number. When they present themselves for voting
9 they're going to have to show a photo I.D. But they
10 won't be required to provide that data to the Voter
11 Registrar.

12 REPRESENTATIVE ALISEDA: As far as
13 the cost of education on this issue, does the State
14 allow for public service announcements by
15 broadcasting companies that have -- have --
16 frequently do some kind of voter -- voter education?

17 ANN MCGEEHAN: Yes. We definitely
18 try to make full use of that with our PSAs.

19 REPRESENTATIVE ALISEDA: But it's not
20 figured into that two million or the --

21 ANN MCGEEHAN: No, no. That would
22 be --

23 REPRESENTATIVE ALISEDA: -- 20
24 million or whatever it is you say we spend on
25 education?



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1 ANN MCGEEHAN: Right. I mean, that's
2 something that we look for, but we'll probably go
3 out on bid to -- to -- for a company to help us form
4 this education program. And that's something we
5 look at is what companies can promise that earned
6 media so that we only pay for this much, but then we
7 get it aired more times --

8 REPRESENTATIVE ALISEDA: Are these
9 hearings earned media in a sense in that we have
10 some public interest in this and I assume people are
11 following it?

12 UNIDENTIFIED REPRESENTATIVE: We
13 shouldn't flatter ourselves.

14 REPRESENTATIVE ALISEDA: No further
15 questions.

16 CHAIRMAN BONNEN: Representative
17 Anchia, do you have more questions?

18 REPRESENTATIVE ANCHIA: Just a couple
19 more, Mr. Chairman. Thank you.

20 CHAIRMAN BONNEN: Take your time. I
21 just --

22 REPRESENTATIVE ANCHIA: I appreciate
23 that. I appreciate that.

24 The statement was made earlier in that
25 600,000-people universe that -- that there were --



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1 that that equaled fraudulent voters. Do you share
2 that belief?

3 ANN MCGEEHAN: I have no reason to
4 think that those voters are fraudulent.

5 REPRESENTATIVE ANCHIA: Okay. Okay.
6 What happens to the voter registration certificate
7 if this bill's passed in its current form?

8 ANN MCGEEHAN: It continues to exist,
9 and so it will be sent out and it will now contain
10 information on the identification requirements. And
11 then voters who are 70 -- 70 as of January 2012 and
12 the voters that have the disability exemption, they
13 will be able to use their certificate as their forms
14 of I.D.

15 REPRESENTATIVE ANCHIA: Okay. But it
16 will be sent to all registered voters. Right?

17 ANN MCGEEHAN: Yes.

18 REPRESENTATIVE ANCHIA: We have
19 13 million, roughly, 12 --

20 ANN MCGEEHAN: A little under
21 13 million today.

22 REPRESENTATIVE ANCHIA: 12.6, 12.6?

23 ANN MCGEEHAN: Yeah. Yeah.

24 REPRESENTATIVE ANCHIA: What --
25 what -- what other functional purpose would it



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1 serve? I mean, if you're not -- if you're not 70,
2 you don't have the disability exemption.

3 ANN MCGEEHAN: I guess at this point
4 it's going to serve more as a -- an informational
5 tool to the voter. It will tell them what districts
6 they're registered in, you know, which Congressional
7 district, which State Senatorial District. I think
8 there's five districts that have to be districts on
9 the certificate.

10 Tell them their county election precinct
11 number, which might help them find out where they
12 need to go vote. So I guess it would be more for
13 the voter's benefits and information.

14 REPRESENTATIVE ANCHIA: An
15 alternative approach that we've discussed many times
16 in this committee is simply adding a person's
17 picture to the voter registration certificate and --
18 which would be a pretty easy fix. I think it -- the
19 technology certainly exists. I mean, we might want
20 to import some late 1990 -- '80s technology to -- to
21 implement that very simple act, I mean, through a
22 bubble jet printer or something like that, if you
23 can find those.

24 Have you done a feasibility analysis on
25 that approach as opposed to this approach?



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1 ANN MCGEEHAN: I think there's one or
2 two bills filed this session that kind of play that
3 kind of approach. So I think we've tried to do some
4 research to -- for purpose of responding to the
5 fiscal note as to what they would take.

6 REPRESENTATIVE ANCHIA: Because it
7 seems to me that would be the easiest fix here, just
8 to add someone's photo. And there will be a
9 universe of people who don't have a photo on file.
10 Right? So if it was possible, for example, to work
11 with Commander Deese (phonetic) at DPS and merge the
12 TDL database photos down and -- and do a match
13 with -- with the HABA-compliant --

14 ANN MCGEEHAN: Right.

15 REPRESENTATIVE ANCHIA: -- statewide
16 voter registration database, and then you dump down
17 the State I.D. photos, the non-TDL photos --

18 ANN MCGEEHAN: Uh-huh.

19 REPRESENTATIVE ANCHIA: -- and then
20 you dump down maybe a CHL universe, you -- you --
21 you probably hit a pretty significant number. It
22 wouldn't be complete. I mean, you would have to
23 have some sort of mechanism at the polls to gather
24 people's photos or an outreach. But can you --
25 we've had these suggestions around for a couple



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1 sessions now. Can you talk about some of the -- the
2 opportunities there or the challenges?

3 ANN MCGEEHAN: You know, we've --
4 we've done some preliminary analysis. I think the
5 effort there would -- would be one of, you know,
6 equipment and whether it would be the State issuing
7 these cards or whether it would be the county,
8 whether we'd give the -- you know, if -- if the
9 State wanted to fund the county to have the
10 equipment necessary to capture the pictures for
11 those people that aren't --

12 REPRESENTATIVE ANCHIA: Sounds like
13 we have HABA funds for this, though. Right?

14 ANN MCGEEHAN: Well, HABA funds --
15 HABA, you know, has certain express purposes. Voter
16 education is one. I don't think we could use HABA
17 to implement voter I.D.

18 REPRESENTATIVE ANCHIA: Say that
19 again.

20 ANN MCGEEHAN: Well, HABA had -- has
21 very express requirements in the federal law.

22 REPRESENTATIVE ANCHIA: But you just
23 said you don't think you can use HABA funds to
24 implement voter I.D.

25 ANN MCGEEHAN: Well, meaning what



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